

Introduced by Senator Perata

February 11, 1999

An act to repeal, add, and repeal Sections 2601 and 2602 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 364, as introduced, Perata. Transportation: State-Local Transportation Partnership Program.

Existing law requires the Department of Transportation, until July 1, 1999, to implement the State-Local Transportation Partnership Program pursuant to specified procedures that allow the state to contribute a share to fund certain local transportation projects.

This bill would extend the program to July 1, 2000, and would make other, conforming changes in existing law.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2601 of the Streets and
2 Highways Code is repealed.
3 ~~2601. (a) For purposes of this chapter:~~
4 ~~(1) "Applicant" means a city, a county, or any local~~
5 ~~entity that is authorized to impose taxes or fees and that~~

1 ~~has responsibility for constructing highways or exclusive~~
2 ~~public mass transit guideways.~~

3 (2) ~~“Eligible project” means a local road, a state~~
4 ~~highway, or an exclusive public mass transit guideway~~
5 ~~improvement project that meets all of the following~~
6 ~~conditions:~~

7 (A) ~~Upon completion of the project, it would~~
8 ~~constitute a usable segment that would increase the~~
9 ~~capacity of the highway or guideway or would extend~~
10 ~~service to new areas, or, in the case of a local road~~
11 ~~rehabilitation project, it would extend the useful life of~~
12 ~~the roadway by at least 10 years.~~

13 (B) ~~The applicant has committed, or is capable of~~
14 ~~committing, to pay the local share from its local fund to~~
15 ~~complete the project.~~

16 (C) ~~The project is not receiving any other state funds.~~

17 (D) ~~The applicant has completed, or is capable of~~
18 ~~completing, all project development work so that the~~
19 ~~contracts for the project can be awarded within two years~~
20 ~~of the date that the project was submitted to the~~
21 ~~department pursuant to subdivision (a) of Section 2602.~~

22 (E) ~~Improvements to state highways are consistent~~
23 ~~with state and federal standards, are designed to~~
24 ~~minimize long-term maintenance costs, and are~~
25 ~~approved by the department.~~

26 (3) ~~“Local fund” means revenues from any locally~~
27 ~~imposed tax or fee.~~

28 (4) ~~“Local share” means the total cost of completing~~
29 ~~the project, less any state matching funds applied for~~
30 ~~through this partnership program and any federal funds.~~

31 (5) ~~“State share” means the amount of state funds~~
32 ~~applied for and in no case shall it exceed local share. The~~
33 ~~state share is not subject to the requirements of Sections~~
34 ~~188 and 188.8.~~

35 (b) ~~This section shall remain in effect only until July 1,~~
36 ~~1999, and as of that date is repealed, unless a later enacted~~
37 ~~statute, which is enacted on or before July 1, 1999, deletes~~
38 ~~or extends that date.~~

39 SEC. 2. Section 2601 is added to the Streets and
40 Highways Code, to read:

2601. (a) For purposes of this chapter:

(1) “Applicant” means a city, a county, or any local entity that is authorized to impose taxes or fees and that has responsibility for constructing highways or exclusive public mass transit guideways.

(2) “Eligible project” means a local road, a state highway, or an exclusive public mass transit guideway improvement project that meets all of the following conditions:

(A) Upon completion of the project, it would constitute a usable segment that would increase the capacity of the highway or guideway or would extend service to new areas, or, in the case of a local road rehabilitation project, it would extend the useful life of the roadway by at least 10 years.

(B) The applicant has committed, or is capable of committing, to pay the local share from its local fund to complete the project.

(C) The project is not receiving any other state funds.

(D) The applicant has completed, or is capable of completing, all project development work so that the contracts for the project can be awarded within three years of the date that the project was submitted to the department pursuant to subdivision (a) of Section 2602.

(E) Improvements to state highways are consistent with state and federal standards, are designed to minimize long-term maintenance costs, and are approved by the department.

(3) “Local fund” means revenues from any locally imposed tax or fee.

(4) “Local share” means the total cost of completing the project, less any state matching funds applied for through this partnership program and any federal funds.

(5) “State share” means the amount of state funds applied for, which shall not exceed the local share. The state share is not subject to the requirements of Sections 188 and 188.8.

(b) This section shall become inoperative on July 1, 2000, and, as of January 1, 2001, is repealed, unless a later enacted statute, which is enacted on or before January 1,

1 2001, deletes or extends the date on which it becomes
2 inoperative and is repealed.

3 SEC. 3. Section 2602 of the Streets and Highways
4 Code is repealed.

5 ~~2602. (a) The state-local transportation partnership~~
6 ~~program shall be implemented by the department and~~
7 ~~the applicants under the following procedures:~~

8 ~~(1) Applicants shall submit applications for eligible~~
9 ~~projects to the department not later than June 30.~~

10 ~~(2) The department shall review the applications for~~
11 ~~consistency with the requirements of this chapter and~~
12 ~~shall compile a preliminary list of all eligible projects not~~
13 ~~later than September 30 of the year in which the~~
14 ~~application was submitted.~~

15 ~~(3) (A) If the total state share for eligible projects~~
16 ~~exceeds the amount specified in the Governor's proposed~~
17 ~~budget, the department shall compute the preliminary~~
18 ~~pro rata share of state funds to be available so that each~~
19 ~~eligible project would receive the same ratio of state~~
20 ~~share to local share. Not later than April 1 of the following~~
21 ~~year, the department shall advise the applicants of the~~
22 ~~preliminary pro rata share of state funds to be available.~~

23 ~~(B) Not later than June 15 of the following year, each~~
24 ~~applicant shall inform the department whether or not it~~
25 ~~can proceed with the project with the lower state share~~
26 ~~and meet the project development completion~~
27 ~~requirements specified in subparagraph (D) of~~
28 ~~paragraph (2) of subdivision (a) of Section 2601.~~

29 ~~(C) Upon the enactment of the annual Budget Act, the~~
30 ~~department shall compile a new list of eligible projects~~
31 ~~consisting of those projects that were included in the~~
32 ~~original list that the applicant has indicated it can proceed~~
33 ~~with a lower state share and for which the applicant has~~
34 ~~indicated it can still meet the delivery requirements~~
35 ~~pursuant to subparagraph (D) of paragraph (2) of~~
36 ~~subdivision (a) of Section 2601.~~

37 ~~(D) Based on the amount of the appropriation~~
38 ~~contained in the annual Budget Act, the department shall~~
39 ~~compute the final pro rata state share so that each project~~

~~on the new list would receive the same ratio of state share to local share.~~

~~(E) Within 30 days of the enactment of the annual Budget Act, the department shall report to the Legislature on the projects being funded through this program and the ratio of state share to local share.~~

~~(4) The Legislature intends to appropriate two hundred fifty million dollars (\$250,000,000) by June 30, 1990, two hundred fifty million dollars (\$250,000,000) by June 30, 1991, and two hundred million dollars (\$200,000,000) by June 30 of each year thereafter for this program.~~

~~(5) Construction contracts for projects on the eligibility list established pursuant to paragraph (2) or (3) shall be let not later than June 30 of the fiscal year for which funds are appropriated pursuant to paragraph (4).~~

~~(6) Beginning with projects funded through appropriations made by the Budget Act of 1992, applications shall not be accepted for any project within the boundaries of a project subject to, but for which contracts were not let in accordance with, paragraph (5); for a period of three fiscal years following the fiscal year in which the applicant's notification of intent to proceed under subparagraph (B) of paragraph (3) was submitted.~~

~~(7) The funds appropriated shall be expended not later than June 30 of the fourth year following the appropriation.~~

~~(8) Notwithstanding paragraphs (5) and (6), any project in Orange County for which a construction contract would otherwise have been required to be let by June 30, 1995, may be let until, but not later than, June 30, 1996.~~

~~(9) Notwithstanding paragraphs (5) and (6), any project in Santa Barbara County for which a construction contract would otherwise have been required to be let by June 30, 1995, may be let until, but not later than, December 31, 1996.~~

~~(10) The Lakeville Highway widening project (State Route 116 from Caulfield Lane to the Petaluma city limit), and the Mare Island Way/Wilson Avenue Cycle 6~~

~~improvement project in the City of Vallejo, for which a construction contract would otherwise have been required to be let by June 30, 1996, may be let until, but not later than, June 30, 1997.~~

~~(11) Notwithstanding paragraphs (5) and (6), any project in Siskiyou County for which a construction contract would otherwise have been required to be let by June 30, 1997, may be let until, but not later than, June 30, 1999.~~

~~(12) Notwithstanding paragraphs (5) and (6), any project in Santa Barbara County for which a construction contract would otherwise have been required to be let by June 30, 1998, may be let until, but not later than, June 30, 1999.~~

~~(13) Notwithstanding paragraphs (5) and (6), any project in the City of Santa Maria for which a construction contract would otherwise have been required to be let by June 30, 1998, may be let until, but not later than, June 30, 1999.~~

~~(b) This section shall remain in effect only until July 1, 1999, and as of that date is repealed, unless a later enacted statute, which is enacted on or before July 1, 1999, deletes or extends that date.~~

SEC. 4. Section 2602 is added to the Streets and Highways Code, to read:

2602. (a) The State-Local Transportation Partnership Program shall be implemented by the department and the applicants under the following procedures:

(1) Applicants shall submit applications for eligible projects to the department not later than June 30.

(2) The department shall review the applications for consistency with the requirements of this chapter and shall compile a preliminary list of all eligible projects not later than September 30 of the year in which the application was submitted.

(3) (A) If the total state share for eligible projects exceeds the amount specified in the Governor's proposed budget, the department shall compute the preliminary pro rata share of state funds to be available so that each

1 eligible project would receive the same ratio of state
2 share to local share. Not later than April 1 of the following
3 year, the department shall advise the applicants of the
4 preliminary pro rata share of state funds to be available.

5 (B) Not later than June 15 of the following year, each
6 applicant shall inform the department whether or not it
7 can proceed with the project with the lower state share
8 and meet the project development completion
9 requirements specified in subparagraph (D) of
10 paragraph (2) of subdivision (a) of Section 2601.

11 (C) Upon the enactment of the annual Budget Act, the
12 department shall compile a new list of eligible projects
13 consisting of those projects that were included in the
14 original list that the applicant has indicated it can proceed
15 with a lower state share and for which the applicant has
16 indicated it can still meet the delivery requirements
17 pursuant to subparagraph (D) of paragraph (2) of
18 subdivision (a) of Section 2601.

19 (D) Based on the amount of the appropriation
20 contained in the annual Budget Act, the department shall
21 compute the final pro rata state share so that each project
22 on the new list would receive the same ratio of state share
23 to local share.

24 (E) Within 30 days of the enactment of the annual
25 Budget Act, the department shall report to the
26 Legislature on the projects being funded through this
27 program and the ratio of state share to local share.

28 (b) The Legislature intends to appropriate two
29 hundred million dollars (\$200,000,000) by June 30 of each
30 year after June 30, 1991, for this program.

31 (c) Construction contracts for projects on the
32 eligibility list established pursuant to paragraph (2) or (3)
33 of subdivision (a) shall be let not later than June 30 of the
34 year following the fiscal year for which funds are
35 appropriated pursuant subdivision (b).

36 (d) Beginning with projects funded through
37 appropriations made by the Budget Act of 1992,
38 applications shall not be accepted for any project within
39 the boundaries of a project subject to, but for which
40 contracts were not let in accordance with, subdivision

(c), for a period of three fiscal years following the fiscal year in which the applicant's notification of intent to proceed under subparagraph (B) of paragraph (3) subdivision (a) was submitted.

(e) The funds appropriated shall be expended not later than June 30 of the fifth year following the appropriation.

(f) Notwithstanding subdivisions (c) and (d), any project in Siskiyou County for which a construction contract would otherwise have been required to be let by June 30, 1997, may be let until, but not later than, June 30, 1999.

(g) Notwithstanding subdivisions (c) and (d), any project in Santa Barbara County for which a construction contract would otherwise have been required to be let by June 30, 1998, may be let until, but not later than, June 30, 1999.

(h) Notwithstanding subdivisions (c) and (d), any project in the City of Santa Maria for which a construction contract would otherwise have been required to be let by June 30, 1998, may be let until, but not later than, June 30, 1999.

(i) This section shall become inoperative on July 1, 2000, and as of January 1, 2001, is repealed, unless a later enacted statute, which is enacted on or before January 1, 2001, deletes or extends the date on which it becomes inoperative and is repealed.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to enable, at the earliest possible time, the continuation of the State-Local Transportation Partnership Program and thereby allow certain entities of local government to proceed with transportation projects that are vital to meeting the infrastructure needs

1 of California, it is necessary that this act take effect
2 immediately.

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